

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF TEXAS

IN RE:

Oscar Newton Lightner

(Debtor),

§  
§  
§  
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§  
§

BANKRUPTCY CASE NUMBER  
03-50344-L7-2

APPLICATION TO RECONSIDER  
PETITION FOR UNCLAIMED FUNDS

UNITED STATES COURTS  
SOUTHERN DISTRICT OF TEXAS  
FILED

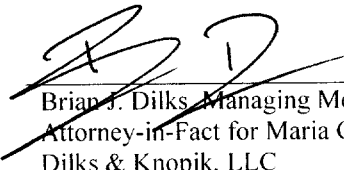
JUN 22 2009

Original Creditor: Maria N. Guevara MD  
Claim Number(s): 7  
Amount Unclaimed: \$1,891.37

Clerk of Court

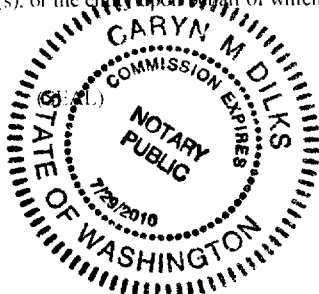
Filed on June 17, 2009

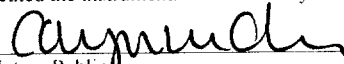
1. The petition previously submitted on January 30, 2009 was denied because the funds had not been deposited on behalf of payee.
2. However, on February 3, 2009, the Order for Turnover of Funds into the Registry regarding the Motion to Deposit Funds into Court Registry was granted and funds were deposited and available for collection by February 26, 2009.
3. Dilks & Knopik, LLC, Attorney-in-fact for Maria Guevara, creditor, prays the Court will reconsider the Petition for Unclaimed Funds filed on January 30, 2009 (a copy of which is attached) and grant the Order to Pay Unclaimed Funds to Maria Guevara.
4. It is requested of the Court to take into consideration the above facts and come to the conclusion that the funds have now been deposited on behalf of payee, Maria Guevara, who is the correct person to recover the unclaimed funds. Attached, is a true and accurate duplicate of the original motion on file with the Court.

  
Brian J. Dilks, Managing Member  
Attorney-in-Fact for Maria Guevara  
Dilks & Knopik, LLC  
P.O. Box 2728  
Issaquah, WA 98027

STATE OF WASHINGTON, COUNTY OF KING

On 6/17/09 before me, personally appeared Brian J. Dilks personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.



  
Notary Public

My commission expires on July 29, 2010

**CERTIFICATE OF SERVICE OF APPLICATION  
ON U.S. ATTORNEY & U.S. TRUSTEE**

Notice is hereby given that on June 17, 2009 a copy of the Application to Reconsider Petition for Unclaimed Funds was served on the U.S. Attorney and U.S. Trustee for the Southern District of Texas by U.S. Mail at the following addresses:

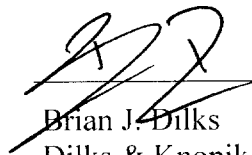
U.S. Attorneys Office  
P.O. Box 61129  
Houston, TX 77208

U.S. Trustees Office  
515 Rusk Ave., Ste. 3516  
Houston, TX 77002

Notice is further given that on February 13, 2009 a copy of the Application to Reconsider Petition for Unclaimed Funds was served on the Case Trustee by Electronic Mail at the following addresses:

George W Stone  
Case Trustee  
gstonetr@flash.net

Dated: June 17, 2009

  
\_\_\_\_\_  
Brian J. Dilks  
Dilks & Knopik, LLC  
Attorney in Fact for Maria Guevara

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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF TEXAS

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BANKRUPTCY CASE NUMBER  
03-50344-L7-2



**COPY**

**PETITION FOR UNCLAIMED FUNDS**

Dilks & Knopik, LLC, Attorney-in-Fact for Maria Guevara hereby petitions the Court for \$1,891.37 being held in the Registry of the Clerk, U.S. Bankruptcy Court as unclaimed funds for Maria N. Guevara MD, creditor.

IF APPLICANT IS A FUNDS LOCATOR, this application includes a Power of Attorney authorizing the undersigned, Dilks & Knopik, LLC, Attorney in Fact, to petition the Court on behalf of the claimant for the release of these funds.


The creditor did not receive the dividend check in the above case for the following reasons:

The original dividend check was mailed to Maria Guevara at 9841 Spinderfi Dr, Laredo, TX 78045-6337. That address is no longer valid. The change of address may have prevented delivery of the original dividend check. Exhibit A is evidence that Maria Guevara once used at that address.

The creditor(s) current/correct mailing address is:

Maria Guevara  
384 Clovernook St.  
Richland, WA 99352  
Phone No. 509-628-1318

Dated: January 27, 2009

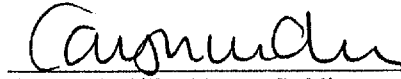
  
Brian J. Dilks, Managing Member  
Dilks & Knopik, LLC  
PO Box 2728, Issaquah, WA 98027  
(425)-836-5728

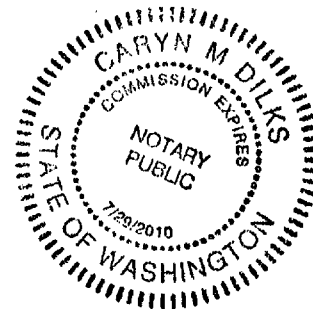


**COPY**

On 1/27/09 before me, Brian J. Dilks, personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal.

SEAL

  
Caryn M. Dilks, Notary Public  
My commission expires: July 29, 2010  
Notary in and for the State of Washington



**CERTIFICATE OF SERVICE OF APPLICATION  
ON U.S. ATTORNEY & U.S. TRUSTEE**



**COPY**

Notice is hereby given that on January 27, 2009 a copy of the Application for Release of Unclaimed Funds was served on the U.S. Attorney and U.S. Trustee for the Southern District of Texas by U.S. Mail at the following addresses:

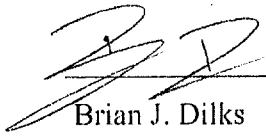
U.S. Attorneys Office  
P.O. Box 61129  
Houston, TX 77208

U.S. Trustees Office  
515 Rusk Ave., Ste. 3516  
Houston, TX 77002

Notice is further given that on January 27, 2009 a copy of the Application for Release of Unclaimed Funds was served on the Case Trustee by Electronic Mail at the following addresses:

George W Stone  
Case Trustee  
gstonetr@flash.net

Dated: January 27, 2009

  
\_\_\_\_\_  
Brian J. Dilks  
Dilks & Knopik, LLC  
Attorney in Fact for Maria Guevara

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS

COPY


RE: Oscar Newton Lightner

Case: 03-50344-L7-2

Debtor(s)

AUTHORITY TO ACT  
Limited Power of Attorney  
LIMITED TO ONE TRANSACTIONUSED ONLY TO COLLECT FUNDS FROM THE ABOVE REFERENCED CASE

1. Maria Guevara ("CLIENT"), appoints Dilks & Knopik, LLC ("D&K"), as its lawful attorney in fact for the limited purpose of recovering, receiving and obtaining information pertaining to the outstanding tender of funds in the amount of \$1,891.37 (the "FUNDS"), including the right to collect on CLIENT's behalf any such funds that are held by a governmental agency or authority.
2. CLIENT grants to D&K the authority to do all things legally permissible and reasonably necessary to recover or obtain the FUNDS held by the governmental agency or authority. This limited authority includes the right to receive all communications from the governmental agency or authority and to deposit checks payable to CLIENT for distribution of the FUNDS to CLIENT, less the fee payable to D&K pursuant to and in accordance with its agreement with CLIENT.
3. D&K may not make any expenditure or incur any costs or fees on behalf of CLIENT without CLIENT's prior written consent.
4. This Authority to Act shall become effective on the below signed date and shall expire upon collection of the aforementioned FUNDS. I authorize the use of a photocopy of this Limited Power of Attorney in lieu of the original.

  
 Maria Guevara

Date

1-19, 20 09

Tax ID: XXX-XX- 3632

## ACKNOWLEDGMENT

STATE OF Washington )COUNTY OF Benton )

On this 19<sup>th</sup> day of January, 2009, before me, the undersigned Notary Public in and for the said County and State, personally appeared (name) Maria Guevara known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that (circle one) he/she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

Diana C. OrtegaResiding at Kennewick, waMy Commission expires 4-9-12